Manitoba

Annual Report 1998 - 1999

The Clean Environment Commission

Includes 10% post-consumer waste

100-07528/

MINISTER OF CONSERVATION

Legislative Building
Winnipeg, Manitoba, CANADA
R3C 0V8

His Honour
The Honourable Peter M. Liba, C. M., O. M.
Lieutenant-Governor of Manitoba
Room 235 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Your Honour:

The undersigned has the honour to present the Annual Report of The Clean Environment Commission detailing its activities for the fiscal year ending March 31, 1999.

Sincerely,

Oscar Lathlin
Minister

Manitoba Clean Environment Commission

Office of the Chairman

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Winnipeg, Manitoba
R3C 3H8

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The Honourable Oscar Lathlin
Minister of Conservation
Room 333 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Dear Mr. Lathlin:

Pursuant to the provisions of Section 6(10) of The Environment Act I am pleased to submit to you the Commission's annual report for the year ending March 31, 1999.

Submitted on behalf of the Commission.

Terry Duguid
Chairman

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THE MANITOBA CLEAN ENVIRONMENT COMMISSION

During the 1998-99 year, Commission membership consisted of the following citizen appointees and full-time chairperson. The Minister responsible for The Environment Act for the period under review was the Honourable Linda McIntosh.

Arnie Barr, Carmen

Maurice Blanchard, Portage la Prairie

Doreen Buchholz, Winnipeg

Linda Ericsson, Winnipeg

Lori Dennis, Winnipeg

Elaine Foster, Arborg

Ed Gramiak, Winnipeg

David Huebert, Winnipeg

Ravi Kumar, Winnipeg

Heather Morden, McCreary

Donna Plant, Winnipeg

Wendy Scott, Winnipeg

Jacob Schroeder, Altona

Dale Stewart, Chairman, Winnipeg

Barrie Webster, Winnipeg

Roger Young, Winnipeg

ROLE AND RESPONSIBILITIES

Under The Environment Act (1988) the Clean Environment Commission provides a process through which the public can participate in the environmental decision making process in Manitoba. The Commission also provides advice and recommendations to the provincial Environment Minister with respect to environmental issues and licensing matters.

Commission membership includes a full-time Chairperson and part-time Commissioners appointed by Order-in Council. Members come from a wide variety of occupations and reside in different regions of the province.

The Commission utilizes the following mechanisms to assist in the environmental management process:

Public Hearings

During the environmental assessment process, the public is invited to submit comments and/or objections respecting a proposed development project. In response to valid concerns, the Environment Minister can ask the Clean Environment Commission to convene a public hearing. During such a hearing the Commission would receive representations from the project proponent, the general public - both supporters

and opponents, and from the various government departments responsible for reviewing the proposal. The Commission reviews the evidence and information presented at the hearing and prepares a report containing advice and recommendations for the Minister.

Upon receipt of the Commission's report, the Minister may choose to accept all or part of its recommendations but is under no legal obligation to do so. If, however, the Commission's recommedations are not acted upon, or incorporated into the licence under review, written reasons must be provided by the Minister or the Enviornment Department and these must be filed in the Public Registry.

Policy Development

Some environmental issues require public involvement before government policy can be developed. In these cases, the Environment Minister can request that the Commission convene a hearing to investigate the issue.

Regulation Development

The Environment Act requires public involvement as part of development process for Regulations. In some cases, this can be achieved through Clean Environment Commission hearings.

Environmental Mediation

Conflicts can occur when two opposing but environmentally sound ideas are proposed for the same location or resource. Providing all parties agree, the Commission can provide environmental mediation services to resolve these conflicts.

Investigations

The Environment Act allows the Commission to investigate any matter of environmental concern and to provide advice and recommendations to the Environment Minister. In this area, the Commission can request assistance from the Manitoba Environmental Council, a citizens advisory body to the Environment Minister.

In performing its various functions under The Environment Act, the Clean Environment Commission strives to encourage and facilitate public involvement in the environmental management process in Manitoba. The opinions of all participants in Commission proceedings are treated fairly and with due respect and consideration.

REPORT FROM THE CHAIR

The year 1998/99 was a quiet year for the Clean Environment Commission with only one hearing conducted.

Contained in Section 48 of the Environment Act, is a provision under which the Council of a Municipality may, by resolution, approve an abatement project within the municipality. The term "abatement' means a proposal for the elimination of an undesirable environmental condition through removal or relocation.

The Commission was requested to review and make recommendations concerning the relocation of an anhydrous ammonia storage tank and distribution facility located within the Town of Carman.

The outcome of the hearing was the recommendation that the facility be relocated for the comfort and safety of residences. As instructed, the panel made recommendations respecting the allocation of costs between the company owning the storage tank - Linear Grain Inc., the Town of Carma,n and the Province of Manitoba.

Also during the 1998/99 fiscal year a joint meeting and workshop was held with the Manitoba Environment Council to explore a

greater understanding of the principles and guidelines of sustaining development.

The three staff members of the Clean Environment Commission continued to accept tasks within the Environment Department involving assistance with meetings and participation in the review undertaken by the Committee on Sustainable Development

Dale F. Stewart

HEARINGS

During the 1998/99 fiscal year, the Commission provided advice and recommendations respecting the following matter referred by the Environment Minister for public hearings under The Environment Act.

Town of Carman Abatement Project – Linear Grain Inc. – Anhydrous Ammonia Storage Tank Relocation

A public hearing was convened to consider an abatement proposal submitted by the Town of Carman for the relocation of an anhydrous ammonia storage tank, owned and operated by Linear Grain Inc., from a location within the town to a neighboring municipality. The proposal having emanated from a need to ensure compliance with environmental licencing requirements and to address local concerns respecting the storage, sale, and movement of anhydrous ammonia within the town.

During the hearing the Commission received presentations from the Town of Carman, Manitoba Environment, Linear Grain Inc. and a number of other interested parties, including several residents of the town.

Along with a historical review of the development of the Linear Grain Inc. operation, including the

circumstances surrounding the installation of the ammonia storage tank, the Commission was provided with details of the environmental licencing provisions under which the Company operated its facility. Concerns respecting air quality, noise and traffic related pollution, and safety issues were outlined during the proceedings. Detailed cost estimates for the relocation of the storage tank, and related operations, were also provided.

Following the hearing, the panel concluded that the abatement proposal for the relocation of the anhydrous ammonia tank, as submitted by the Town of Carman, should proceed. The Commission provided recommendations as to the apportionment of costs between the Town of Carman, Linear Grain Inc., and the Province of Manitoba, along with a specific time frame under which the project should be completed.

NOTE: Verbatim Transcripts of all Clean Environment Commission hearings are available through the Commission office, and through the Public Registries operated by Manitoba Environment.

CLEAN ENVIRONMENT COMMISSION PUBLICATIONS

Preliminary Report on Contamination of Underground Water Sources by Refined Petroleum Products (1975)

Report on the Investigation of the Pollution of Underground Water by Refined Petroleum Products (1975)

Report on the Investigation of Smoke Problems Encountered in Southern Manitoba in 1976 (1977)

Report on an Investigation of Intensive Livestock Production Operations in Manitoba (1979)

Report on a Proposal Concerning Surface Water Quality Objectives and Stream Classification for the Province of Manitoba (1979)

Report on a Proposal for the Classification of Manitoba's Surface Water Souris River Principal Watershed Division (1980)

Report on Red River Waters (Proposed Classification of Surface Water Quality In Manitoba's Red River Principal Watershed Division and Certain Red River Tributaries) (1980)

Report on Proposed Classification of Surface Water Quality In Manitoba's Grass-Burntwood Rivers Principal Watershed Division (1981)

Report on a Proposal for the Classification of Manitoba's Surface Water Red River Principal Watershed Division (1981)

Report on a Proposal for the Classification of Manitoba's Surface Water Grass-Burntwood Rivers Principal Watershed Division (1982)

Report on Mosquito Control Programs in Manitoba (1982)

Report on Environmental Land Use Conflict - Balmoral,Manitoba (1983)

Report on Hazardous and Special Wastes Stage 1 of Phase 1 of Program (1983 & 1984)

Report on the Review of the Plan for the Rehabilitation of the Site of the Domtar Inc.

Former Wood Preserving Plant, Transcona, Manitoba (1984)

Report on Manitoba Hazardous Waste Management Program (Volume 1) (1987)

Report on Manitoba Hazardous Waste Management Program (Volume 2) (1987)

Report on the Draft Regulation Respecting Atmospheric Emissions of Sulphur Dioxide and Particulates From Inco Limited in Thompson and HBM & S Co. Limited in Flin Flon (1987)

Report on Investigation of Smoke Problems from Agricultural Crop Residue and Peatland Burning (1987)

Report on Netley Creek Golf Course Development Proposal (1988)

Report on Burns Rendering Plant, Brandon, Review of the Environment Department Licence Regulating the Operation of and Emissions from the Plant (1988)

Report on Village of Shoal Lake Sewage Lagoon Proposal (1988)

Report on Puffy Lake Gold Mine (1988)

Report on Bonne Homme Colony Farms, Rural Municipality of Westbourne (1988)

Report on Upland Colony Farms Sewage Lagoon System (1988)

Report on Precise-To-Form Castings Inc. Investment Casting Foundry Operation (1988)

Report on McCain Foods Limited, Portage la Prairie (1988)

Preliminary Report on a Proposal by Canamax Resources Inc. for the Development of a Potash Mine at Russell, Manitoba (1988)

Final Report on a Proposal by Canamax Resources Inc. for the Development of a Potash Mine at Russell, Manitoba (1989)

Report on Clearwater Lake Watershed Basin Surface Water Quality Classification (1989)

Report on Shell Prairie Inn and Gas Station Wastewater Treatment and Disposal System (1989)

Report on Westlake Regional Water Supply Proposal (1989)

Report on City of Portage la Prairie Sewage Sludge Disposal Project (1989)

Report on North Duck River Headwater Storage Project (1989)

Report on Town of Beausejour Sewage Lagoon Expansion (1989)

Report on COJEF Limited Burning Site (1989)

Report on Deago Properties Sewage Treatment Plant (1989)

Report on Rural Municipality of Rhineland/Town of Altona Liquid Waste Holding Ponds for C.S.P. Foods Ltd. (1989)

Report on Namew Lake Mine/Mill (1989)

Report on Provincial Road #340 Class 2 Highway Relocation Project (1989)

Report on Repap Manitoba Inc. Phase I Modification and Expansion of the Manfor Complex (1989)

Report on Norquay Holding Company Sewage Lagoon (1989)

Report on Airport Holding Co. Ltd. Domestic Wastewater Treatment Lagoon (1990)

Report on Rural Municipality of Portage la Prairie Liquid Waste Disposal Facility (1990)

Report on Highway Gardens Ltd. Variation to Licence #391 (1990)

Report on Whiteshell Colony Farms Ltd. Domestic Waste-water Treatment Lagoon (1990)

Report on Pelican Lake Enhancement Project (1990)

Report on Village of St. Claude Sewage Lagoon and Discharge Route (1990)

Report on Ducks Unlimited Canada Oak Hammock Marsh Conservation Centre/Office Proposal (1990)

Report on Meadow Materials (Dow Corning Silicon Energy Systems, Inc.) Pilot Plant (1990)

Report on Beausejour Auto Wrecking Continuing Operation (1991)

Report on Hudson Bay Mining & Smelting Co. Ltd. Namew Lake Mine/Mill - A Review (1991)

Report on Abitibi-Price Inc. FML #01 Forest Resource Management Plan 1991 - 1998 (1992)

Report on Application of Water Quality Objectives for the Watershed Classification of the Red and Assiniboine Rivers and Tributaries Within and Downstream of The City of Winnipeg (1992)

Report on General Scrap & Car Shredder Ltd. Review of Environment Act Licence 898VC (1992)

Report on Manitoba Hazardous Waste Management Corporation Central Hazardous Waste Management Facility Licence Application (1992)

Rapport Sur Les Audiences Publiques: Demande De Permis Relative À Un Centre de Gestion Des Déchets Dangereux Présentée Par La Corporation Manitobaine De Gestion Des Déchets Dangereux (1992)

Report on Good Hope Holding Company Ltd. Wastewater Treatment Lagoon, Rural Municipality of Portage la Prairie (1992)

Report on the Rural Municipality of Rhineland and The Town of Altona Regarding Ongoing Disposal Practices for Soap-stock and Bleaching Clay Generated by CanAmera Foods Ltd. (1992)

Report on Public Hearings: City of Winnipeg - Deacon Reservoir Expansion, Rural Municipality of Springfield (1993)

Report on Public Hearings: Village of Teulon - Wastewater Stabilization Pond and Pipeline, Rural Municipality of Rockwood (1994)

Report on Public Hearings: Pembina Valley Water Cooperative Inc. Regional Water Supply Proposal (1994)

Report on Public Hearings: Louisiana-Pacific Corporation Oriented Strand Board Plant, Rural Municipality of Minitonas (1994)

Report on Public Hearings: Asessippi Ski Hil Project, Rural Municipality of Shellmouth (1995)

Report on Public Hearings: Solid Waste Management - Capital Region (1995)

Rapport Sur Les Audiences Publiques: Concernant La Gestion Des Déchets Solides Dans La Région De La Capitale (1995)

Report on Public Hearings: Browning Ferris Industries (BFI) Waste Systems Inc. Integrated Waste Management Facility, Rural Municipality of Rosser (1995)

Report on Public Hearings: Louisiana-Pacific Canada Ltd. Ten Year Forest Management Plan 1996-2005 (1996)

Report on Public Hearings: Tolko Manitoba Inc. - Forest Management Plan 1997-2009 (1997)

Report on Public Hearings: Town of Carman Abatement Project – Linear Grain Inc. – Anhydrous Ammonia Storage Tank Relocation

NOTE: *Copies of all Commission reports are available from the Commission office upon request.*